

4-23-03

DAE



Express Mail No. EL781050471U

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#21

APPLICANT: James V. Young	GROUP ART UNIT: 3764
SERIAL NO.: 09/176,866	EXAMINER: Demille, Danton D.
FILED: October 22, 1998	DOCKET NO.: 6996
FOR: MESSAGE APPARATUS	

St. Louis, Missouri
April 22, 2003

BOX DAC

Commissioner of Patents and Trademarks
Washington, D.C. 20231

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition Fee

- ☒ small business entity -- fee \$650.00. Applicant claims small entity status.
☐ other than small entity -- fee \$1,300.00.

2. Response filed:

Note: The response does not require a request and fee for extension of time as a condition of revival.

A. The reply and/or fee to the above-noted Official Action in the form of Appellant's Brief

- ☐ has been previously filed on _____
☒ is enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231, on April 22, 2003.

Lionel L. Lucchesi
Lionel L. Lucchesi

RECEIVED

APR 24 2003

OFFICE OF PETITIONS

00000009 09176866 650.00 0P
04/24/2003 TTRAW1 01 FC:2453

B. The issue fee of \$

- ☐ has been previously paid on _____.
- ☐ is enclosed herewith.

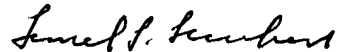
3. Terminal disclaimer:

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of _____ for a small entity of \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

[NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment under 37 CFR §1.16 and §1.17 which may be required to Deposit Account No. 162201. *Duplicates of this sheet are enclosed.*



Lionel L. Lucchesi, Reg. No. 25,891
Polster, Lieder, Woodruff & Lucchesi, L.C.
763 South New Ballas Road
St. Louis, MO 63141
314-872-8118
314-991-2178 (Fax)